

w/o

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI**

DIVISION: 6

HON. THOMAS B. LINDBERG

CASE NO. P1300CR20081339

JEANNE HICKS, CLERK

By: Rachel Roehe, Deputy Clerk

DATE: June 11, 2010

FILED

DATE: June 11, 2010

4:54 O'Clock P.M.

JEANNE HICKS, CLERK

BY: Rachel Roehe

Deputy

TITLE:

STATE OF ARIZONA

(Plaintiff)

vs.

STEVEN CARROLL DEMOCKER

(D-1)

COUNSEL:

Yavapai County Attorney (e)

(For Plaintiff)

John Sears (e)

Larry Hammond & Anne Chapman (e)

OSBORN MALEDON, P.A.

(For Defendant)

HEARING ON:

Jury Trial – Day 21

NATURE OF PROCEEDINGS

COURT REPORTER

Sandra K Markham

START TIME: 8:44 a.m.

APPEARANCES: Joseph Butner, Deputy County Attorney
Jeff Paupore, Deputy County Attorney
Steven DeMocker, Defendant
John Sears, Counsel for Defendant
Larry Hammond, Counsel for Defendant
Anne Chapman, Counsel for Defendant

Court convenes with the presence of the Defendant, all Defense Counsel and both Deputy County Attorneys. The Jury is not present. The Deputy Jury Commissioner, Margaret Merlitz, is present.

Discussion takes place with regard to Juror number 8.

At 8:56 a.m., Juror number 8 enters the Courtroom.

Court and Counsel address the juror.

Court and Counsel hold a discussion at sidebar, off the record.

Court and Counsel address the juror again.

~*~*~*~*~* Recess – 9:36 a.m. ~*~*~*~*~*

At 10:00 a.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

Larry Peterson is sworn and testifies.

Court and Counsel hold a discussion at sidebar, off the record, to discuss questions from the Jury.

The witness is asked questions from the Jury.

The witness is excused.

Kathy Peterson is sworn and testifies.

Court and Counsel hold a discussion at sidebar, off the record, to discuss questions from the Jury.

The witness is asked questions from the Jury.

Court and Counsel hold a discussion at sidebar, off the record, to discuss a question from the Jury.

The witness is asked the question from the Jury.

The witness is excused.

Ron Drake is sworn and testifies.

The Court receives a question from the Jury and the question is addressed.

Court and Counsel hold a discussion at sidebar, off the record, to discuss questions from the Jury.

The witness is asked questions from the Jury.

The witness is excused.

The Jury is reminded of the admonition.

~*~*~*~*~ Recess – 11:17 a.m. ~*~*~*~*~

At 11:34 a.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

Daniel Ness is sworn and testifies.

Court and Counsel hold a discussion at sidebar, off the record, to discuss questions from the Jury.

The witness is asked questions from the Jury.

The witness is excused.

The Jury is reminded of the admonition.

~*~*~*~*~ Recess – 12:05 p.m. ~*~*~*~*~

At 1:31 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

Luis Huante is sworn and testifies.

Exhibits 2335 and 2336 are admitted into evidence without objection.

Exhibit 958 is offered. Defense Counsel objects. The objection is overruled and the exhibit is admitted.

Exhibit 959 is offered. Defense Counsel objects. The objection is overruled and the exhibit is admitted.

Exhibit 961 is offered. Defense Counsel objects. The objection is overruled and the exhibit is admitted.

Exhibit 962 is admitted into evidence without objection.

Exhibit 310 is offered. Defense Counsel objects. The Court directs that the portions of Exhibit 310 that are outside of the presence of the Defendant are hearsay and not subject to admission. To the extent that this exhibit contains that, the Court will not admit the exhibit at this time.

Counsel for the State requests to admit Exhibit 310, except for the portions that are hearsay. The Court directs the redaction of those portions of the transcript and the redacted version of Exhibit 310 is admitted. The exhibit shall not go to the Jury as it is in its present form. The Court directs the witness to mark Exhibit 310 to indicate the portions that should be redacted. The State shall provide new pages for Exhibit 310 to substitute for the pages that have been marked for redaction.

Court and Counsel hold a discussion at sidebar, off the record.

Exhibits 2396 through 2401 are admitted into evidence without objection and published to the Jury.

The Jury is reminded of the admonition.

~*~*~*~*~ Recess – 2:49 p.m. ~*~*~*~*~

At 3:08 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel and both Deputy County Attorneys. The Jury is not present.

Court and Counsel discuss questions from the Jury.

Court and Counsel discuss audio and video exhibits.

~*~*~*~*~ Recess – 3:32 p.m. ~*~*~*~*~

At 3:44 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

The Court addresses questions from the Jury.

Exhibits 545, 960 and 231 are admitted into evidence upon stipulation of Counsel.

Exhibit 545 is published to the Jury.

Court and Counsel hold a discussion at sidebar, off the record, to discuss questions from the Jury.

The Court asks the witness some of the questions from the Jury, but will reserve some questions until next week.

The Jury is reminded of the admonition and the Court stands at recess until 9:00 a.m. next Wednesday.

END TIME: 4:54 p.m.

cc: VS (e)
Dean Trebesch (Contract Administrator) (PD) (e)
Division 6
YCSO (e)
John Napper, Counsel for Renee Girard (e)
Christopher DuPont, Trautman DuPont PLC (e),
Counsel for Victims Charlotte and Katherine DeMocker